

## **REMARKS**

### **I. Status of the Claims**

Claims 1-28 were pending in the application prior to this amendment. All of the aforementioned claims have been rejected by the Examiner.

Claims 1-28 have been amended in this response. No new matter has been introduced, and thus, entry and consideration of this amendment is now respectfully requested.

### **II. Rejections Under 35 U.S.C. § 102 and § 103:**

Claims 1-3 and 5-28 stand rejected under 35 U.S.C. §102(e) as being anticipated by Bacon, et al. (U.S. 2002/0101991, hereafter, "Bacon"). More specifically, the Examiner alleges that Bacon anticipates each and every limitation of the aforementioned pending claims.

Claim 4 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Bacon in view of Min (U.S. Patent No. 7,088,732, hereafter, "Min"). In particular, the Examiner alleges that claim 4 is rendered obvious in view of the combined Bacon and Min references.

Bacon is directed to a subscriber television system which allows the identification of the individual packets from two separate MPEG transport streams that have been multiplexed together for decoding by a single external conditional access or point-of-deployment (POD) module. (Abstract)

Applicant respectfully disagrees with the Examiner's anticipation rejection in view of the Bacon reference. For example, claim 1 sets forth the following:

1. (Currently Amended) A method, comprising:
  - receiving at least a first and a second data stream, each data stream comprising a plurality of packets and each packet having a header including a packet identifier,
  - alternately passing data from each data stream to a descrambling device,
  - receiving descrambled packets from the descrambling device and
  - alternately passing data to at least a first and a second output, so restoring the first and second data streams in a descrambled form.

Initially, Applicant clarifies that the amendments presented herein are directed only to formal issues, and therefore, no substantial change in claim scope has been affected with this submission. Applicant respectfully submits that Bacon does not anticipate each and every limitation of at least claim 1, as amended. Specifically, Bacon discloses that "[t]he multiplexer

226, of host terminal 14, takes MPEG Data 1 and MPEG Data 2 from their respective sources and multiplexes the two data streams together to create the Multiplexed MPEG Data.”

(paragraph 0023) However, the multiplexer combines the two data streams together based on the Stream Select signal. Bacon discloses that packets associated with the MPEG Data 1 source are assigned the designator “11” and packets associated with the MPEG Data 2 source are assigned the designator “00”. (paragraph 0025 and Fig. 4) According to the Stream Select signal shown in Fig. 4, the multiplexer will output one packet from MPEG Data 2 followed by three packets from MPEG Data 1. As a result, Bacon does not recite or imply, “alternately passing data from each data stream to a descrambling device” as recited by at least claim 1.

In view of the above, independent claim 1 is asserted to be clearly distinguishable from the Bacon reference. Further, independent claims 13, 24 and 27 include at least all of the limitations discussed above with respect to claim 1, and are therefore also distinguishable.

Furthermore, independent claim 25, sets forth the following:

25. (Currently Amended) An apparatus, comprising:
- an input configured to receive a clock signal;
  - first and second input buffers;
  - a descrambling module; and
  - first and second output buffers,
- wherein the apparatus is configured to clock input data into the first and second input buffers on one of the rising and falling edge of the clock signal respectively and to clock data out of the output buffers on one of the rising and falling edge of the clock signal respectively.

The Examiner asserts that Bacon teaches every limitation of claim 25 in paragraph 0025 and Fig. 4. (Office Action, pages 4-5) However, Bacon provides no teaching or suggestion of “clock[ing] input data into the first and second input buffers on one of the rising and falling edge of the clock signal respectively” and “clock[ing] data out of the output buffers on one of the rising and falling edge of the clock signal respectively.” At best, Bacon discloses that “[t]he MPEG Start signal 420 is associated with the MPEG clocks signals of the MPEG Data 1 and MPEG Data 1 data streams.” (paragraph 0025) The Start signal being associated with the clock signals of the data streams does not anticipate that “the apparatus is configured to clock input data into the first and second input buffers on one of the rising and falling edge of the clock

signal respectively and to clock data out of the output buffers on one of the rising and falling edge of the clock signal respectively” as recited by claim 25.

In view of the above, independent claim 25 is asserted to be clearly distinguishable from the Bacon reference.

Furthermore, Min, relied upon to teach comparing of packet identifiers, does not remedy the above discussed deficiencies of Bacon.

The balance of the claims not specifically discussed above depend from claims 1, 13, 24, 25, and 27, and as a result, are also distinguishable in view of these comments. In view of the above, Applicants respectfully request that the 35 U.S.C. §102(e) and 35 U.S.C. §103(a) rejections now be withdrawn.

**CONCLUSION**

Based on the foregoing amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims and allowance of this application.

**AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 4208-4220. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 4208-4220. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,  
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